

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,)	
)	
v.)	Case No. 5:21CR00023
)	
RICHARD E. MOORE,)	<u>ORDER</u>
Defendant.)	

Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure and the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Court **ORDERS** that the Government adhere to its disclosure obligations set forth in *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny. In that case, the Supreme Court instructed that “the suppression by the prosecution of evidence favorable to an accused” violates due process where such evidence is “material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.” *Id.* at 87. Serious consequences, up to and including vacating a conviction or disciplinary action against the prosecution, may result from failing to adhere to that obligation.

It is so **ORDERED**.

The Clerk of Court is directed to send this Order to all counsel of record.

ENTERED: December 16, 2021



Joel C. Hoppe
United States Magistrate Judge